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1102319-0003

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Genes and Vectors for Conferring Herbicide Resistance in Plants, the specification of which is attached hereto unless the following box is checked:

☒ was filed on October 22, 1999 as United States Application Number or PCT International Application Number 09/426,568 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/106,239</u> (Application Number)	<u>October 29, 1998</u> (Filing Date)
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)	(Filing Date)	(Status--patented, pending, abandoned)
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(Application Number)	(Filing Date)	(Status--patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Dimitrios T. Drivas, Reg. No. 32,218; Nels T. Lippert, Reg. No. 25,888; Cecilia O'Brien Lofters, Reg. No. 33,434; Warren S. Heit, Reg. No. 36,828; David Bender, Reg. No. 35,445; John M. Genova, Reg. No. 32,224; Richard J. Sterner, Reg. No. 35,372; Hans-Peter G. Hoffmann, Reg. No. 37,352; Thelma A. Chen Cleland, Reg. No. 40,948; Leslie Morioka, Reg. No. 40,304; John Scheibeler, Reg. No. 35,346; Jean Shimotake, Reg. No. 36,273; Jeff Oelke, Reg. No. 37,409; and Chase Romick, Reg. No. 45,051 all of the firm of WHITE & CASE Limited Liability Partnership, with offices at 1155 Avenue of the Americas, New York, New York 10036,

Address all telephone calls to Thelma A. Chen Cleland at telephone number (212) 819-8200

Address all correspondence to WHITE & CASE LLP
Patent Department
1155 Avenue of the Americas
New York, NY 10036-2787

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believe to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Genichi Kakefuda

First inventor's signature Genichi Kakefuda Date 11/5/99
Residence Princeton Junction, New Jersey Citizenship U.S.A.

Post Office Address 37 Hereford Drive
Princeton Junction, NJ 08550

Full name of second joint inventor, if any (given name, family name) Colleen Costello

Second inventor's signature Colleen Costello

Date 11/8/99

Residence Lawrenceville, New Jersey

Citizenship U.S.A.

Post Office Address 733 Lake Drive

Lawrenceville, NJ 08648

Full name of third joint inventor (given name, family name) Ming Sun

Third inventor's signature Ming Sun

Date 11/11/99

Residence Groveville, New Jersey

Citizenship China (PRC)

Post Office Address 2 Zachary Lane #4

Groveville, NJ 08620

Full name of fourth joint inventor, if any (given name, family name) Weiming Hu

Fourth inventor's signature Weiming Hu

Date Nov. 5/99

Residence Dresher, Pennsylvania

Citizenship China (PRC)

Post Office Address 1801 St. Georges Road

Dresher, PA 19025

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Attorney's Docket No. 9459-17

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Kakefuda et al. Group Art Unit: 1649
Application No.: 09/426,568 Examiner Name: To be assigned
Filed: October 22, 1999
For: GENES AND VECTORS FOR CONFERRING
HERBICIDE RESISTANCE IN PLANTS

April 10, 2000

Assistant Commissioner for Patents
Washington, DC 20231

REVOCATION OF POWER OF ATTORNEY
AND NEW POWER OF ATTORNEY BY ASSIGNEE

Sir:

Assignee hereby revokes all powers of attorney previously granted with respect to the above-identified patent application, and appoints the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and directs that all correspondence be addressed to that Customer Number:

Customer Number 000826

with full power of substitution and revocation to transact all business in the Patent and Trademark Office in connection therewith.

Please direct all communications to the attention of:

W. Murray Spruill
Registration No. 32,943
Tel Raleigh Office (919) 420-2200
Fax Raleigh Office (919) 420-2260

Assignee hereby elects under 37 C.F.R. § 3.71 to prosecute this patent application and certifies that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 010240, Frame 527, or for which a copy thereof is attached.

In re: Kakefuda et al.
Appl. No.: 09/426,568
Filed: October 22, 1999
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The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the Assignee.

AMERICAN CYANAMID COMPANY

By: Milagros A. Cepeda

Milagros A. Cepeda

(Print or type name of person signing)

Title: Senior Patent Attorney

Date: April 24, 2000

ALSTON & BIRD LLP

Post Office Drawer 34009

Charlotte, NC 28234-4009

Tel Raleigh Office (919) 420-2200

Fax Raleigh Office (919) 420-2260

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, DC 20231, on May 8, 2000.

Sherree T. Edington
Sherree T. Edington

RTA01/2076206v1